

United States District Court
NORTHERN DISTRICT OF GEORGIADate: Oct 23 2020

JAMES N. HATTEN, Clerk

By: s/Margaret DeLockery
Deputy Clerk

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

Case Number: 1:20-MJ-901

SHUN XIAO

UNDER SEAL

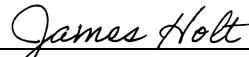
I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. Beginning by at least on or about October 21, 2019 and continuing until on or about June 12, 2020 in Fulton County, in the Northern District of Georgia and elsewhere, defendant did: (a) production of child pornography, (b) receipt/distribution of child pornography, and (c) possession of child pornography,

in violation of Title 18, United States Code, Sections 2251(a), 2252(a)(2), 2252(a)(4)(B).

I further state that I am a Special Agent with HSI and that this complaint is based on the following facts:

PLEASE SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof. Yes



Signature of Complainant
James Holt

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to me by telephone pursuant to Federal Rule of Criminal Procedure 4.1.

October 23, 2020

Date

at Atlanta, Georgia

City and State

CHRISTOPHER C. BLY

UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer

AUSA Alex R. Sistla / USAO 2020R00928



Signature of Judicial Officer

Issued pursuant to Federal Rule of Criminal Procedure 4.1

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, James Holt, a Special Agent (SA) with Homeland Security Investigations (HSI), Immigration and Customs Enforcement (ICE), being first duly sworn, hereby depose and state that:

1. I am a Special Agent with the Department of Homeland Security (DHS), Homeland Security Investigations (HSI) and have been so employed since 2009. I am currently assigned to the Special Agent in Charge (SAC) Atlanta Office. Among my responsibilities as a Special Agent, I investigate crimes involving the sexual exploitation of children, including offenses involving travel in foreign commerce and the production of child pornography. I have received training in the investigation of child exploitation offenses, and I have conducted and assisted in several child exploitation investigations. I have executed several search warrants that have led to seizures of child pornography. I am also responsible for enforcing federal criminal statutes involving immigration and customs violations including Titles 8, 18, 19, 21, and 31 of the United States Code, and other related offenses.

2. I have been investigating the activities **SHUN XIAO** who resides at 30 Buck Trail, Newnan, Georgia, 30265, and who previously resided at 23 Ashton Place, Newnan, Georgia. Based on the facts alleged below, there is probable cause to believe that **XIAO** produced and attempted to produce child pornography, in violation of 18 U.S.C. § 2251(a), distributed child pornography, in violation of 18 U.S.C. § 2252(a)(2), and possessed child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B). I am submitting this affidavit in support of a criminal complaint.

3. The information contained in this affidavit is based upon my personal knowledge and observation, my training and experience, conversations with other law enforcement officers and

witnesses, and the review of documents and records.

Probable Cause In Support of Criminal Complaint

4. The “dark web,” also sometimes called the “dark net” or “deep web,” is a colloquial name for a partition of the Internet that includes a number of extensive, sophisticated, and widely used criminal marketplaces operating on the Internet, which allow participants to buy, sell, and trade illegal items, such as child pornography, drugs, firearms, and other hazardous materials with greater anonymity than is possible on the traditional Internet (sometimes called the “clear web” or simply “web”). These online black-market websites use a variety of technologies, including encryption technologies, to ensure that communications and transactions are shielded from interception and monitoring. A famous dark web marketplace, Silk Road, operated similar to legitimate commercial websites such as Amazon and eBay, but offered illicit goods and services. Law enforcement shut down Silk Road in 2013. However, other, similar dark web marketplaces remain in operation.

5. The “Tor network,” or simply “Tor,” is a special network of computers on the Internet, distributed around the world, that is designed to conceal the true Internet Protocol (“IP”) addresses of the computers accessing the network, and, thereby, the locations and identities of the network’s users. The Tor network attempts to do this by routing Tor user communications through a globally distributed network of intermediary computers, or relays, along a randomly assigned path known as a “circuit.” Because of the way the Tor network routes communications through the relay computers, traditional IP address-based identification techniques are not effective. Tor likewise enables websites to operate on the network in a way that conceals the true IP addresses of the computer servers hosting the websites, which are referred to as “hidden services” on the Tor

network. Such “hidden services” operating on Tor have complex web addresses, generated by a computer algorithm, ending in “.onion” and can only be accessed through specific web browser software, including a major dark-web browser known as “Tor Browser,” designed to access the Tor network. One of the logos, or “icons,” for Tor Browser is a simple image of the Earth with purple water and bright green landmasses with bright green concentric circles wrapping around the planet to look like an onion.

6. On or about June 3, 2020, I reviewed messages previously posted on a dark web chat site (“Website A”) on April 15, 2020.¹ Website A is located on the dark web and is devoted to the sexual exploitation of children. Website A can only be accessed with a Tor browser. Anyone who knows the address of Website A can access it and post and view content, but you cannot simply run an ordinary web search (using, for example, Google or Bing) to find and access Website A. Users utilize Website A to discuss the sexual exploitation of children and to post child sexual exploitation material. Website A is organized as one long running page where the most recent post is added to the top of the page. Each time a user posts the time of the post, the user’s moniker, and the content posted is added to the top of the page. Website A does not contain separate chat groups like other chat forums. The entry page to Website A requests that users enter a “nick” or moniker to enter the site and states that if users are returning to the site their “nick” is “probably already taken”. No password is necessary to enter the site, and it is possible that another user could enter

¹ The name of Website A is known to law enforcement. Investigation into the users of Website A remains ongoing and disclosure of the name of Website A would potentially alert active users to the investigation, potentially provoking users to notify other users of law enforcement action, flee, and/or destroy evidence.

the same moniker as a previous user and make posts under that username as long as there is not a user currently logged in with that moniker. It is my experience that pedophiles operating on dark web sites like Website A will use the same moniker for extended periods of time, often across numerous chat sites, in order to establish and maintain credibility.

7. I reviewed numerous posts dated April 15, 2020 from a user with the username “JJ” who stated the following in sum and substance. “JJ” posted he used to have sex with his 14-year-old sister. However, he found out his 14-year-old sister was having sex with their father and no longer wanted to have sex with him. “JJ” posted he had proof in the form of a video recording of his father and sister having sex, but stipulated that “this video only recorded sounds”. “JJ” asked for advice on uploading the video and sharing it in the chat group. “JJ” posted a link to a website capable of playing video content uploaded by outside users, similar to YouTube. I followed the link, but it did not appear to be functional any longer. Next, “JJ” posted a picture with the file name “f3c3b4f91d8102cbfac755e10d068707-imagejpeg.jpg”. I viewed the picture and it depicted a female who appeared to be less than 18 years old. The picture was a picture of a page with three pictures of the same female in various positions. The pictures appeared to be professionally taken school pictures. After posting the picture, “JJ” posted “she looks nice and has a hot shape, but she fucked with my dad”. In a later posting, “JJ” posted “I licked every part of her body it felt awesome but now she refuses to do it with me,” followed by “my 14yo sister.” Immediately following this post, “JJ” posted a picture with the file name “584d79893297a06594df092e92258972-imagepng.png.” I viewed the picture and it appeared to show a female from the waist down inside of a residential bathroom. The female’s vagina was exposed, and she appeared to be in the process of pulling her pants up.

8. I examined the aforementioned pictures posted by “JJ” and discovered that the picture with the file name “f3c3b4f91d8102cbfac755e10d068707-imagejpeg.jpg” (the school-type picture) contained metadata. None of the other pictures posted by “JJ” contained metadata. In this case, metadata is data contained within the picture file telling what type of camera was used to take the picture, the geolocation where the picture was taken, the date and time the picture was taken, and other information. The metadata on the school-type picture indicated that the picture was taken with an Apple iPhone 6s on December 8, 2019 at the following latitude and longitude coordinates: 33.361019444444445, -84.71082222222222. I inputted these coordinates into Google Maps and learned the coordinates geo-locate back to 23 Ashton Place, Newnan, Georgia.

9. On or about June 4, 2020, I reviewed other postings made by “JJ” on Website A and discovered that “JJ” had posted child sexual exploitation material on at least two occasions. On August 22, 2019, “JJ” posted an image with the file name “MATRIX_105619_oFt_vlcsnap-2019-08-20-03h56m32s889.png.” I viewed the image and it depicted a female child, who appeared to be under the age of ten. The child’s legs were being spread by two adult hands exposing her anus and vagina. There was an adult penis with semen ejaculating out of it onto the child’s anus and vagina. On the same day, “JJ” posted an image with the file name “MATRIX_110054_jKq_ddanal4.jpg.” I viewed the image and it depicted a female child who appeared to be under the age of five. The child’s legs were spread apart and an adult penis was shown penetrating either the child’s anus or vagina.

10. On June 4, 2020, I conducted a surveillance of 23 Ashton Place, Newnan, Georgia and observed a black Dodge Caravan bearing Georgia license plate RHV 6795 parked in the driveway.

According to law enforcement records, the vehicle was registered to Jisheng Xiao, whose date of birth is June 27, 1973, on May 28, 2020 at 23 Ashton Place, Newnan, Georgia.

11. On June 5, 2020 I reviewed law enforcement records indicating Huang Xiaomeng, whose date of birth is July 7, 1976, listed 23 Ashton Place, Newnan, Georgia as her residence on her Georgia driver's license on December 12, 2018.

12. On June 8, 2020 I reviewed law enforcement records indicating that Jisheng Xiao was associated with the address at 90 Glenda Trace, Newnan, GA 30265 by the Experian Gateway credit agency. I have further researched that address, and the restaurant China Kitchen is located there.

13. On June 8, 2020 I received law enforcement records from the Newnan, GA Police Department related to the Coweta County, GA public school system. The school records indicated that a 14-year old minor female ("Minor Female-1") and her 18-year-old brother, later identified as the target of this investigation, **SHUN XIAO**, whose date of birth is October 15, 2001, reside at 23 Ashton Place, Newnan, Georgia. The records also included pictures of Minor Female-1 and her brother, **SHUN XIAO**. The picture of Minor Female-1 in the school record depicted a female who appears to be the same female depicted in the school-type picture described above with image file "f3c3b4f91d8102cbfac755e10d068707-imagejpeg.jpg". In both pictures the female appears to be wearing the same black shirt with white stripes down the sleeves. Additionally, the records identified Jisheng Xiao is the father of Minor Female-1 and **SHUN XIAO**.

14. On June 8, 2020, at approximately 21:50 hours, I conducted a surveillance of China Kitchen, located at 90 Glenda Trace, Newnan, GA 30265. I observed two males and one female, who appeared to be closing the restaurant for the night, exit the restaurant with the lights off and

lock the door. I observed the three individuals get inside of and depart in a black Dodge Caravan bearing Georgia license plate RHV 6795, the same van I previously observed parked in the driveway of 23 Ashton Place, Newnan, Georgia. The two males appeared to be Jisheng Xiao and Minor Female-1's brother, **SHUN XIAO**, based off a comparison with their driver's license and school picture, respectively. The female appeared to be Huang Xiaomeng, based off of a comparison with her Georgia driver's license picture.

15. On June 9, 2020 I viewed real estate websites containing pictures of 23 Ashton Place, Newnan, Georgia. I discovered a previous listing of 23 Ashton Place, Newnan, Georgia that contained numerous pictures of the inside of the house. I compared a picture of a bathroom located on the website with the image file "584d79893297a06594df092e92258972-imagepng.png". Based on what is visible in both pictures, both pictures appeared to be taken in the same or similar bathrooms.

16. On June 11, 2020, based on the aforementioned information, I sought and received a search warrant (1:20-MC-1047 (Under Seal)) in the Northern District of Georgia for 23 Ashton Place, Newnan, Georgia.

17. On June 12, 2020 HSI special agents with assistance from the Newnan, Georgia Police Department, and the Coweta County, Georgia District Attorney's Office executed the warrant at 23 Ashton Place, Newnan, Georgia. Pursuant to the federal search warrant, HSI special agents seized numerous electronic items to conduct a forensic examination, including computers, hard drives, and mobile phones. Among these items were a computer used by **SHUN XIAO**.

18. **XIAO** was present during the execution of the search warrant and agreed to be interviewed by law enforcement. Agents advised **XIAO** that he was not under arrest and was free

to leave. The interview was audio recorded and conducted in the garage of 23 Ashton Place, Newnan, Georgia. **XIAO** related the following in sum and substance:

- a. **XIAO** stated he used the Tor browser to view child sexual exploitation material (CSEM) on the dark web, and agents could expect to find a lot of CSEM in his computer in a folder on his desktop labeled with Chinese characters that meant “New Folder.”
- b. **XIAO** stated he made approximately 30 inappropriate videos of Minor Female-1 in the bathroom by placing his iPhone camera at the bottom of the door while Minor Female-1 was inside.
- c. **XIAO** admitted to posting three or four sexually explicit pictures of Minor Female-1 on the dark web. **XIAO** also recalled using the moniker “JJ” in chatrooms on TOR including Website A.
- d. **XIAO** initially denied ever touching Minor Female-1 inappropriately. After the interview had concluded, however, **XIAO** requested to speak with HSI agents again and admitted to touching Minor Female-1 in a sexual manner on multiple occasions including putting his mouth on her vagina.²

19. Following the execution of the search warrant, and based on **XIAO**’s statements, he was arrested by the Newnan, Georgia Police Department on two counts of sexual exploitation of children in violation of Georgia State Law, but was granted bond on July 9, 2020 and ordered to reside at 30 Buck Trail, Newnan, GA.

² This portion of the conversation between **XIAO** and the agents was not recorded.

20. On or about September 28, 2020, HSI began forensically examining the devices seized from 23 Ashton Place, Newnan, Georgia, including electronic devices used by **XIAO**. Although the forensic exam is still ongoing, agents have already discovered more than 3,000 videos and pictures containing CSEM on devices belonging to **XIAO**. By way of example, the following image file titled “BDSMx613.jpg” depicted a completely nude female child who appeared to be under the age of 10 with an adult male’s penis in her mouth. Additionally, the adult male is grabbing the child by the back of her head with one hand and holding a large kitchen knife to the child’s forehead with the other hand.

21. The preliminary forensic exam also revealed numerous sexually explicit pictures and videos of Minor Female-1 including the image file “584d79893297a06594df092e92258972-imagepng.png” which was the same image of Minor Female-1 that I located on Website A. In addition to this image file, HSI located multiple sexually explicit videos of Minor Female-1. For example, a video titled “IMG_2112.MP4,” with a creation date of October 20, 2019, was three minutes and thirteen seconds long and depicted Minor Female-1 completely nude getting out of a shower. Minor Female-1’s breasts, vagina, and buttocks are clearly depicted in the video. Additionally, agents located a video file titled “IMG_2300.MP4,” with a creation date of September 4, 2018, depicting **XIAO** sexually assaulting Minor Female-1. The video is eleven minutes and eight seconds long and depicts **XIAO** holding Minor Female-1 down on a bed while he places his mouth on her vagina. During a portion of the video **XIAO** removes his shorts exposing his penis and forcefully maneuvers Minor Female-1 on the bed. During the episode Minor Female-1 can be heard saying “no” several times and can be seen actively resisting **XIAO**. This is only a partial description of the video. The complete video contains numerous other incidents of **XIAO** forcefully sexual assaulting Minor Female-1.

Conclusion

22. Based on the foregoing information, I respectfully submit that probable cause exists to believe that **SHUN XIAO**, in the Northern District of Georgia and elsewhere, beginning at least on or about October 21, 2019 and continuing on or about June 12, 2020, has committed the following violations of federal criminal law:

- a. Production or attempted production of child pornography, in violation of 18 U.S.C. § 2251(a);
- b. Receipt and Distribution of child pornography, in violation of 18 U.S.C. § 2252(a)(2);
- c. Possession of child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B).